

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 OFFENSE CHARGED SUPERSEDING

18 U.S.C. § 922(g)(1) - Felon in Possession of Firearm and
Ammunition

Petty
 Minor
 Misdemeanor
 Felony

PENALTY: Imprisonment: - 15 years (18 U.S.C. § 924(a)(2))
 Fine: \$250,000 (18 U.S.C. § 3571)
 Supervised Release -3 years (18 U.S.C. §§ 3559(a)(3),
 3583(b)(2))
 Special Assessment: \$100 (18 U.S.C. § 3013(a)(2)(A))
 Forfeiture: +

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI Special Agent Mikael Bergh

person is awaiting trial in another Federal or State Court,
give name of court

Alameda Superior Court

this person/proceeding is transferred from another district
per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprocution of
charges previously dismissed
which were dismissed on motion
of:

U.S. ATTORNEY DEFENSE

SHOW
DOCKET NO.

this prosecution relates to a
pending case involving this same
defendant

prior proceedings or appearance(s)
before U.S. Magistrate regarding this
defendant were recorded under

MAGISTRATE
CASE NO.

Name and Office of Person
Furnishing Information on this form

Craig H. Missakian

U.S. Attorney Other U.S. Agency

Name of Assistant U.S.
Attorney (if assigned)

Emily R. Dahlke

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

Bail Amount:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

DEFENDANT - U.S.

David Clayton Conerly a/k/a Arshay Bridgeon

DISTRICT COURT NUMBER

4:25-mj-70771 MAG

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

1) If not detained give date any prior
summons was served on above charges

2) Is a Fugitive

3) Is on Bail or Release from (show District)

FILED

Jun 23 2025
 Mark B. Busby
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND

IS IN CUSTODY

4) On this charge

5) On another conviction

} Federal State

6) Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution
 Alameda County - Santa Rita Jail

Has detainer Yes
been filed? No

} If "Yes"
give date
filed

DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

This report amends AO 257 previously submitted

UNITED STATES DISTRICT COURT
 for the
 Northern District of California

United States of America)
 v.)
)
) Case No. 4:25-mj-70771 MAG
 David Clayton Conerly)
 a/k/a Arshay Pridgeon)
)
)
)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 5, 2025 in the county of Alameda in the
Northern District of California, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922(g)(1)	Felon in Possession of Firearm and Ammunition

FILED

Jun 23 2025

Mark B. Busby
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND

This criminal complaint is based on these facts:

Please see the attached affidavit of FBI Special Agent Mikael Bergh

Continued on the attached sheet.

/s/ Mikael Bergh

Complainant's signature

FBI Special Agent Mikael Bergh

Printed name and title

Approved as to form /s/ Emily R. Dahlke
 AUSA Emily R. Dahlke

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
 telephone.

Date: 06/20/2025

City and state: McKinleyville, California

Hon. Robert M. Illman, U.S. Magistrate Judge

Printed name and title



Judge's signature

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Mikael Bergh, Special Agent (“SA”) with the Federal Bureau of Investigation (“FBI”), being duly sworn, state:

I. INTRODUCTION

1. I submit this affidavit in support of an application under Rule 4 of the Federal Rules of Criminal Procedure for a criminal complaint and arrest warrant authorizing the arrest of David Clayton CONERLY (“CONERLY”) for being a felon in possession of a firearm and ammunition in violation of Title 18, United States Code, Section 922(g)(1), committed on or about February 5, 2025, in the Northern District of California.

II. SOURCES OF INFORMATION

2. This affidavit is submitted for the limited purpose of securing a criminal complaint and arrest warrant. I have not included every fact known to me concerning this investigation. Instead, I have set forth only the facts necessary to establish probable cause that violations of the federal law identified above have occurred.

3. I have based my statements in this affidavit on my training and experience, personal knowledge of the facts and circumstances obtained through my participation in this investigation, including information provided by reports prepared by officers from the Berkeley Police Department (“BPD”), laboratory reports prepared by Serological Research Institute (SERI), and information provided by records and databases. Where I refer to conversations and events, I refer to them in substance and in relevant part rather than in their entirety or verbatim, unless otherwise noted. This affidavit also reflects my current understanding of the facts relating to this investigation, but my understanding may change in the future as the investigation proceeds.

III. AFFIANT BACKGROUND

4. I have been employed as a Special Agent of the FBI for approximately 21 years. I am currently assigned to the San Francisco Division, Oakland Resident Agency. My investigative responsibilities are violent crimes, which includes commercial robberies, illicit

firearms possession, and carjackings. I received training at the FBI Academy in Quantico, Virginia, including training on criminal procedure, search and seizure, and violent crimes. During the course of my career with the FBI, I have participated in numerous investigations involving violent and weapons-related crimes, and in the execution of numerous search and arrest warrants relating to such investigations.

5. As an FBI agent, I am authorized to investigate violations of federal law and am a law enforcement officer with the authority to execute warrants issued under the authority of the United States. I am an investigator and law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7). I am empowered by law to conduct investigations, to execute search warrants, and to make arrests for offenses of federal law, including offenses enumerated in 18 U.S.C. § 922(g).

IV. APPLICABLE STATUTES

6. Title 18, United States Code, Section 922(g)(1) provides: “It shall be unlawful for any person who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.”

V. FACTS SUPPORTING PROBABLE CAUSE

7. On or about February 5, 2025, the Berkeley Police Department responded to a 911 call regarding a vehicle crash on Burnett Street in Berkeley, California. The 911 caller described the suspected driver as a black male, approximately in his 40s, bald, and wearing black clothing and carrying a black backpack, and was possibly altered or under the influence.

8. The responding officers found a grey Honda Accord with California license plate 9LPL311 that appeared to have crashed front first into a parked black Volkswagen, in front of 1336 Burnett Street. The black Volkswagen appeared then to have been pushed into a parked grey Volvo, which in turn was pushed into a parked blue Toyota. The airbags inside of the grey Honda had been deployed and were deflated and hanging.

9. One of the first BPD officers who arrived on the scene was alerted to a person walking away from the scene of the crash by the responding Berkeley Fire Department personnel, who identified him as someone had been in and around the crashed grey Honda, and returned to the car multiple times, apparently getting items out of the car. The BPD officer also saw that the person walking away matched the description given by a 911 caller, as he was wearing a black jacket and a black backpack. BPD officers contacted the suspected driver of the grey Honda approximately two blocks away from the scene of the crash, and he initially refused to follow commands to stop. The suspected driver physically resisted being detained, but was ultimately taken into custody after a struggle. He initially told a paramedic and BPD that his name was "Michael White". He was subsequently identified as CONERLY. He eventually admitted his name was David CONERLY. Arresting officers noted that CONERLY exhibited objective signs of intoxication, such as slow speech and an odor of an alcoholic beverage emitting from his breath.

10. A search of CONERLY incident to arrest located 8 pills of suspected Hydrocodone in CONERLY's right pants pocket. A search of the backpack that he was wearing at the time of arrest, located the following items inside of the backpack:

- A glass mason jar containing approximately 98 grams of suspected Marijuana;
- A cellophane bag containing a white powdery substance, suspected to be 8.8 grams of Fentanyl;
- 8 pills of suspected Hydrocodone;
- 1 working digital scale; and
- 16 oz of Promethazine Hydrochloride.

11. CONERLY was placed in the back of a BPD patrol vehicle and was brought back to the scene of the crash for an in-field show-up to two witnesses who had seen the suspected driver in and around the crashed grey Honda. The first witness immediately identified CONERLY, who was seated in the back seat of a BPD patrol car, as the person that he saw in and around the crashed grey Honda. He recognized CONERLY from his clothing, his face and

his voice as they spoke to one another when CONERLY was pacing back and forth. The witness said he went outside shortly after the crash occurred, and noticed the grey Honda had struck the Volkswagen. The witness stated CONERLY was pacing back and forth next to the car and that he looked confused. The witness said he asked CONERLY if he was ok, and CONERLY had said something like, "I really don't know". The witness said he was approximately 4-5 feet from CONERLY when they interacted with one another, and said he saw CONERLY go in and out of the grey Honda several times, grabbing things and looking around the inside of the car. Per the witness, CONERLY then walked away from the scene.

12. The second witness said her friend texted her after she heard a crash outside of their house. The witness said she went outside and observed that her car was one of the cars that was damaged (the black Volkswagen). The witness also saw CONERLY pacing back and forth near the grey Honda, and noted that he looked confused. The witness said she saw CONERLY go in and out of the car grabbing things before walking off. The witness then looked at CONERLY while he was seated in the back of a BPD patrol car during the in-field show-up. The witness identified CONERLY as the person she had seen earlier, and she recognized CONERLY by his clothing, his face, and his build.

13. BPD officers determined that the grey Honda was registered to CONERLY, and recovered paperwork in the vehicle in CONERLY's name. BPD officers searched the grey Honda for evidence related to a possible DUI investigation, as well as inventory of the vehicle prior to it being towed. During the search, a loaded Springfield Armory, model XD 40, 40 caliber pistol, serial number XD396648, was located under the front passenger seat. The firearm was loaded with a fully loaded ten-round magazine, and had one round in the chamber, for a total of 11 rounds of ammunition. Additionally, a black cellular telephone and a half empty bottle of Bombay Sapphire Gin (200 ml bottle), were also located inside the vehicle. The Springfield pistol was determined by BPD to be reported as lost in November 2022 by its owner, which was documented in a Stockton Police Department report.

14. BPD sought search warrants from Alameda County Superior Court authorizing a

DNA buccal swab from CONERLY, as well as a DUI blood draw from CONERLY. The search warrant for the DNA buccal swab was authorized by the Honorable Judge David Pereda of the Alameda County Superior Court, and the search warrant for the DUI blood draw was authorized by the Honorable Michael J. Gaffey of the Alameda County Superior Court.

15. The DNA swab obtained from CONERLY was submitted to SERI to be compared to sample swabs obtained from the Springfield Armory pistol and associated magazine. On March 21, 2025, SERI provided a laboratory report which concluded that the DNA mixtures obtained from the firearms originated from four contributors and that there was very strong support that CONERLY's DNA was on the firearm. Specifically, DNA results from the sample swabs from the handle/grip of the Springfield Armory pistol showed a mixture that was interpreted as originating from four contributors, with at least one male, but without a discernible major contributor, and that it was at least 14 trillion times more likely the DNA originated from CONERLY than from another individual. The DNA results from the slide of the Springfield Armory pistol showed a mixture that was interpreted as originating from four contributors, with at least two males, but without a discernible major contributor, and that it was at least 275 trillion times for likely that the DNA originated from CONERLY than from another individual. The DNA results from the magazine of the Springfield Armory pistol showed that a mixture that was interpreted as originating from four contributors, with at least two males, but without a discernible major contributor, and that it was at least 78 billion times more likely the DNA originated from CONERLY than from another individual. The DNA results from the sample swab from the trigger/trigger guard of the Springfield Armory pistol were too complex to interpret.

a. **Interstate Nexus for Seized firearm and Ammunition**

16. Your affiant contacted agents from the Bureau of Alcohol Tobacco and Firearms (ATF) to determine if the seized Springfield Armory pistol and the ammunition found in the magazine and chamber had travelled in interstate commerce. On April 21, 2025, ATF provided documentation stating that the Springfield Armory handgun was manufactured in Croatia. Ten of

the ammunition rounds were manufactured by S&B in the Czech Republic and one of the ammunition rounds was manufactured by Hornady in the state of Nebraska. Thus, both the firearm and the ammunition in the firearm necessarily travelled in interstate commerce, as they were recovered in the State of California.

b. CONERLY is a Felon

17. Your affiant has reviewed the criminal history for CONERLY, and has determined that he has multiple felony convictions, punishable by imprisonment for a term exceeding one year, in both state and federal court. Most recently, on June 19, 2018, CONERLY pled guilty to one count of violating 18 U.S.C. 922(g)(1) in the Northern District of California (CR-17-00578-001JSW). He was sentenced to 108 months in prison and three years of Supervised Release. CONERLY was released from prison in July 2024, and was living in a half-way house until January 2025. CONERLY was still on federal supervised release for this conviction when he was arrested by BPD.

VI. CONCLUSION

18. On the basis of my participation in this investigation, and the information summarized above, there is probable cause to believe that on or about February 5, 2025, in the Northern District of California, David Clayton CONERLY was a felon in possession of a firearm and ammunition in violation of Title 18, United States Code, Section 922(g)(a),

/s/

MIKAEL BERGH
Special Agent
Federal Bureau of Investigation

Sworn to before me over the telephone and signed by me
pursuant to Fed. R. Crim. P. 4.1 and 4(d) on this 20th day of June 2025.


HONORABLE ROBERT M. ILLMAN
United States Magistrate Judge